

**THE SMITH-FREE GROUP, L.L.C.**  
1401 K STREET, N.W. - SUITE 1200  
WASHINGTON, D.C. 20005  
Telephone (202) 393-4760 Facsimile (202) 393-3516

November 11, 2010

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> St SW  
Washington DC

RE: Notice of Ex Parte Communication  
MB Docket No. 10-91, CS Docket No. 97-80, PP Docket No.00-67

Dear Ms. Dortch:

On November 10, 2010, the undersigned, along with Frances Seghers, Executive Vice President, Worldwide Government Affairs, Sony Pictures Entertainment Inc; Chris Cookson, President, Sony Pictures Technology; and Spencer Stephens, Sr. Vice President, Standards & Solutions, Sony Pictures Entertainment Inc., held several meetings at the Commission to discuss issues relating to the Notice of Inquiry regarding gateway devices.

In attendance from the FCC were:

Karen Ansari, Michael Ha, Alan Stillwell, Hugh Van Tuyl and Robert Weller of the Office of Engineering & Technology; Paul de Sa and Doug Sicker of the Office of Strategic Planning & Policy Analysis; Marilyn Sonn of the Chairman's Office; Josh Cinelli of Commissioner Copps' Office; Stephen Broeckaert, Mary Beth Murphy, Nancy Murphy, Brendan Murray, Alison Neplokh and Jeffrey Neumann of the Media Bureau.

The Sony Pictures representatives (SPE) indicated support for examining how to open the device market with viable solutions to foster innovation. In response to queries on the concept of providing a standardized interface for consumer devices, Sony Pictures representatives reviewed the potential limits of the current version of DTCP, which perhaps does not provide enough flexibility to provide the consumer a wide range of options.

In examining marketplace developments that have already emerged, or are in process, SPE offered a review of recent innovations in the marketplace, both in consumer services, and in technology and hardware advances.

In addition, SPE reviewed the standards-setting process for ETSI-TS102825 for DVB CPCM (Digital Video Broadcast Project – Content Protection Copy Management), which was years in development but has not yet been deployed.

In response to questions about marketplace examples, SPE stated that DVB CPCM is one of several examples of a standard that can allow for content offerings enabling a rich consumer experience. SPE expressed the hope that if there is to be any AllVid implementation, that it include a rich enough lexicon to enable a multitude of diverse offerings for the consumer in the marketplace of the future, coupled with a contractually based licensing enforcement mechanism. This approach could ensure the widest range of consumer options.

SPE offered a brief review of the process undertaken under the management of the Digital Entertainment Content Ecosystem, LLC (DECE), in which a wide range of industries are working together to develop a common standard for delivery of and remote access to digital content from a variety of platforms to a variety of devices. They outlined that, correctly done, AllVid could bring forth this same kind of rich experience envisioned, but that it is very complex.

In response to questions, they reviewed issues related to licensing on various platforms, citing existing marketplace models where HD content is readily available to the consumer, because the distribution platforms adequately protect content against copying and redistribution. SPE pointed to the PSN, the newly launched Google TV and other platforms which are not subject to regulation and have facilitated continued innovation, resulting in a broader choice and richer experience for the consumer. SPE suggested that the best path would be to allow for technical innovations combined with licensing regimes, but also pointed out that effective systems in place today took years from inception to deployment .

SPE outlined hopes for an outcome resulting in opportunities for robust growth and new innovations in this area, and thus the need for addressing not just current consumer trends, but to allow for future changes, without locking the marketplace or the consumer out of new options.

Sincerely,



Alicia W. Smith  
Sr. Vice President

Cc: Karen Ansari  
Stephen Broeckert  
Josh Cinelli  
Paul de Sa  
Michael Ha

Mary Beth Murphy  
Nancy Murphy  
Brendan Murray  
Alison Neplokh  
Jeffrey Neumann

Doug Sicker  
Marilyn Sonn  
Alan Stillwell  
Hugh Van Tuyl  
Robert Weller